

SUBSIDIARY OBLIGATION

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Article:

What is conditional obligation and under what circumstances may an absolute obligation be detached from a conditional obligation? These questions have recently been much discussed. I think that a very plausible answer has been given to the first question but that the second question has not yet received a satisfactory answer. In this paper I shall attempt to remedy this deficiency, at least to some extent, by noting the intimate relation between conditional obligation and what I shall call subsidiary absolute obligation.

Part I

In order to discuss when detachment of an absolute obligation from a conditional obligation is warranted, an account must first be given of both absolute and conditional obligation. In order to do this, I propose first that we say, roughly, that a person can perform an action just in case there is some accessible world in which he does perform it. Or more precisely:

(D1) Person S can at time T do action A at time T' in world W =_{df.}

(1) T' is not earlier than T; and

(2) there is a world W', accessible to S from W at T, in which S does A at T'.

I do not pretend that this definition itself constitutes a satisfactory analysis of "can", for the term "accessible" is purely a term of art whose meaning I have not tried, and shall not try, to clarify. What I do think is plausible is the claim that the "can" of action is, in principle, analyzable in terms of possible worlds — just as the "cans" of logical possibility, physical possibility, and so on, are — and that any such analysis must follow the form of (D1).¹

Now, the point of giving (D1) is that it introduces what I think is helpful talk of possible worlds — helpful, in that I take it that "ought (absolutely)" implies "can" and also that "ought (absolutely)" is analyzable in terms of possible worlds. (Of course, the contention that "ought" implies "can" is controversial. This is not the occasion to debate it.) In particular, I think that we may say, roughly, that S ought (absolutely) to do A just in case some accessible world in which he does A is more valuable than any accessible world in which he does not do A; and that we may say, roughly, that S ought to do A if p is true just in case some accessible p-world in which he does A is more valuable than any accessible p-world in which he does not do A. Or more precisely:

(D2) S ought (absolutely) at T to do A at T' in W =_{df.}

(1) T' is not earlier than T; and

(2) there is a world W' such that:

(a) W' is accessible to S from W at T and S does A at T' in W';

(b) there is a world W'' such that W'' is accessible to S from W at T and S does not do A at T' in W''; and

(c) for all worlds W'' such that W'' is accessible to S from W at T and S does not do A at T' in W'', the value of W' is greater than the value of W''.

(D3) S ought at T to do A at T' in W, on the condition that p is true =_{df.}

(1) T' is not earlier than T; and

(2) there is a world W' such that:

(a) W' is accessible to S from W at T and S does A at T' in W' and p is true in W';

(b) there is a world W'' such that W'' is accessible to S from W at T and S does not do A at T' in W'' and p is true in W''; and

(c) for all worlds W'' such that W'' is accessible to S from W at T and S does not do A at T' in W'' and p is true in W'', the value of W' is greater than the value of W''.

These analyses are not novel. On the contrary, something like (D3) is suggested by Michael McKinsey² and both (D2) and (D3) follow very closely analyses provided by Fred Feldman.³

(D2) and (D3) have a lot going for them. They are intuitively very plausible; taken together, they demonstrate a clear kinship between absolute and conditional obligation; but also, taken together, they have the desired implication that an obligation to do A on the condition that p is true, combined with the fact that p is true, does not automatically yield an absolute obligation to do A. Such unrestricted detachment is blocked, and properly so. Suppose that Smith can at T₁ either attend a meeting on the first floor of his building at T₂, or attend a meeting on the second floor of his building at T₂, but not both. Suppose also that he ought (absolutely) at T₁ to attend the meeting on the first floor at T₂, but also that he ought at T₁ to attend the meeting on the second floor at T₂ if he does not attend the meeting on the first floor at T₂. Suppose, finally, that Smith, out of sheer will not attend the meeting on the first floor at T₂. It hardly follows that Smith ought at T₁ to attend the meeting on the second floor at T₂. Such detachment of an absolute obligation would be objectionable for at least two reasons. First, it would allow there to be two absolute obligations, at most one of which can be satisfied. While some seem to accept the possibility of such a conflict of obligations, I do not; and, at any rate, it should not be so easy to generate such conflict.⁴ Second — a related point — it gives the irresponsible agent far too easy an excuse: "I can't satisfy both obligations; one is just as much of an obligation as the other; so I'll take my pick and satisfy the second".

But while such unrestricted detachment of an absolute obligation from a conditional obligation is not warranted, it has seemed to many that detachment is sometimes warranted. And, of course, this is true. Both Feldman and Patricia Greenspan have noted the following: if S ought at T to do A at T' on the condition that p is true, and if S cannot at T so act that p is false, then S ought (absolutely) at T to do A at T'.⁵ This sort of detachment is sanctioned by (D2) and (D3). And it is this sort of detachment which is operative in an important variation of the case just given.

Suppose that Jones can at T_1 either attend a meeting in Los Angeles at T_4 , or attend a meeting in Chicago at T_4 , but not both, and that, in order to do the first, he must catch a plane at T_2 , while, in order to do the second, he must catch a plane at T_3 . Suppose also that he ought (absolutely) at T_1 to attend the meeting in Los Angeles at T_4 , but also that he ought at T_1 to attend the meeting in Chicago at T_4 if he does not attend the meeting in Los Angeles at T_4 . Suppose, finally, that Jones, out of sheer will not attend the meeting in Los Angeles at T_4 . While we still cannot infer that Jones ought at T_1 to attend the meeting in Chicago at T_4 , we can say that, once his taking the plane at T_2 to Los Angeles is no longer open to him, he ought to attend the meeting in Chicago. That is, we can say that Jones ought at (or just after) T_2 to attend the meeting in Chicago at T_4 .

Are there other restricted forms of detachment that are warranted? One recent suggestion amounts to this: if S ought at T to do A at T' on the condition that p is true, and if p is true, and if it is not the case that S ought (absolutely) at T so to act that p is false, then S ought (absolutely) at T to do A at T' .⁶ While this proposal correctly blocks, for example, the inference in the first case that Smith ought at T_1 to attend the meeting on the second floor at T_2 (for Smith ought at T_1 so to act that it is false that he does not attend the meeting on the first floor at T_2), it is nonetheless defective. Consider this case. White ought at T_1 to thank his host at T_3 , if he goes to the party at T_2 ; it is not the case that White ought at T_1 to go to the party at T_2 ; it is not the case that White ought at T_1 not to go to the party at T_2 ; and White will go to the party at T_2 . It is clear that it is not true to say that White ought at T_1 to thank his host at T_3 , and yet according to the proposal this is true.

Part II

I am sceptical of the success of any attempt to come up with an interesting restricted detachment rule, other than that provided by Feldman and Greenspan, where the sort of obligation to be detached is that analyzed in (D2).⁷ Yet I believe that there is good reason to think that the detachment of some sort of obligation is warranted under conditions other than those noted by Feldman and Greenspan. I propose to call the sort of obligation at issue here subsidiary absolute obligation, and I shall now give an account of when such an obligation may be detached from a conditional obligation.

The phenomenon that I have in mind has been noted by others. In particular, McKinsey has attempted to account for it. He has talked of "levels of (absolute) obligation" and said that absolute obligations may be primary, secondary, tertiary, or indeed n -ary (where $n > 1$). McKinsey is concerned with just that sort of case concerning meetings given earlier, and in those cases he wants to say: Smith ought₁ at T_1 to attend the meeting on the first floor at T_2 ; given that Smith does not attend the meeting on the first floor at T_2 , he ought₂ at T_1 to attend the meeting on the second floor at T_2 ; Jones ought₁ at T_1 to attend the meeting in Los Angeles at T_4 ; and, given that Jones does not attend the meeting in Los Angeles at T_4 , he ought₂ at T_1 to attend the meeting in Chicago at T_4 . Here "ought" expresses a primary obligation and "ought₂" a secondary obligation. Concerning such levels of obligation, McKinsey says:

By saying that an obligation is secondary (or tertiary, or n -ary, where $n > 1$), I do not mean that it is any less of an obligation than a primary one. In my view it is just as incumbent upon a person to fulfill his secondary obligations, as it is incumbent upon him to fulfill his primary ones. For notice that if a person does not do his best, we will blame him also for not doing his

second best, just as we blame him for not doing his best.⁸

This is both puzzling and promising. It is puzzling, in that it is not at all clear what it means to say that a non-primary obligation is "just as incumbent" as a primary one. Such talk seems to afford the sort of easy excuse which it was earlier said should be ruled out. But McKinsey's proposal is nevertheless promising. For he has latched on to an important fact, and that is that, if one fails to do what one ought to do but does what is "second best", one does less wrong than if one also fails to do what is "second best"; and one who fails to do what is "third best" does still more wrong; and so on. Smith does wrong if he fails to attend the meeting on the first floor; but he does more wrong still if he also fails to attend the meeting on the second floor —and this despite the fact that (as we have seen) it is never the case that he ought (in the sense of (D2)) to attend the meeting on the second floor. It should also be noted, however, that if Smith attends the meeting on the first floor, he does no wrong — he violates no obligation — in not attending the meeting on the second floor.

We have noted that, if Smith fails to attend both meetings, he does a double wrong, even though he violates only a single obligation (in the sense of (D2)). And this is clearly connected with the fact that he has a conditional obligation to attend the meeting on the second floor if he fails to attend the meeting on the first floor. I propose that we say that Smith violates a primary absolute obligation to attend the meeting on the first floor and a secondary absolute obligation to attend the meeting on the second floor. (D2) captures only the concept of primary obligation; we need an account of non-primary, that is, subsidiary obligation.

Just how this account should run depends upon what assumption one makes concerning the relative values of worlds. In this context, the simplest assumption that one can make in this regard is the following: all worlds accessible to S from W at T have a determinate value and at least one of these worlds is such that no other of these worlds is more valuable than it. On this assumption — which I shall call the Simple Assumption — we may say, therefore, that some world (or worlds) accessible to S from W at T has (or have) value-rank 1 (relative to S from W at T) and all other worlds accessible to S from W at T have a corresponding subordinate value-rank n (where n is some positive integer).

Working with this assumption, I propose the following account of primary, conditional, and subsidiary obligation. First:

(D4) S ought₁ at T to do A at T' in W =_{df.} [the same definiens as in (D2), with this addition:
(d) W' has value-rank 1.]⁹

Next:

(D5) S ought, at T to do A at T' in W, on the condition that p is true =_{df.} [the same definiens as in (D3), with this addition: (d) W' has value-rank n.]

And, finally, I propose that we say that, where $n > 1$, S ought_n to do A just in case, for some condition p, he ought_n to do it if p is true, and p is true. That is (where $n > 1$):

- (D6) S ought, at T to do A at T' in W =df. there is a proposition p such that:
- (1) S ought, at T to do A at T' in W, on the condition that p is true; and
 - (2) p is true in W.¹⁰

Given (D6), we may now say: an obligation to do A on the condition that p is true, combined with the fact that p is true, does yield an absolute obligation to do A when and only when the conditional and absolute obligations in question are of the same level. We may also say that, when a subsidiary obligation is violated, a subsidiary wrong is done. It is this that allows us to say that Smith, in failing to attend both meetings, does a double wrong; for he does a primary wrong and also a secondary wrong. And it is clear that other situations provide the opportunity for doing more than just a double wrong, that is, the opportunity to pile subsidiary wrong upon subsidiary wrong ad indefinitum. (D6) is, I believe, adequate to this fact. But (D6) also rules out ascribing a secondary wrong to Smith when he fails to attend the meeting on the second floor but does attend the meeting on the first floor. There is no detachment of even a subsidiary absolute obligation in such a case as that.

But the Simple Assumption may, I suppose, be false; at least, its falsity cannot be ruled out in the absence of a fuller account of just what sort of value it is that is at stake.¹¹ Such falsity may be due to one of two factors: either (i) some accessible world lacks a determinate value; or (ii) no accessible world has a maximal value.

If case (i) were to arise, I am not sure what we should say. We could choose simply to ignore those accessible worlds with indeterminate value by, first, ranking all those with a determinate value (assuming that at least one of these has a maximal value) and, second, amending clause (c) of (D4) and (D5) as follows: "for all worlds W" such that W" has a determinate value and is accessible...". Or we could accept that, sometimes, the existence of accessible worlds of indeterminate value undermines certain judgments of obligation. For instance, if some accessible world in which S does not do A at T' lacks a determinate value, then, even if all such accessible worlds which have a determinate value are less valuable than some accessible world in which S does A at Ts, according to (D4) (unamended)¹² it is not the case that S ought, to do A at T' in W, while according to (D4) (amended) it is the case that S ought, at T to do A at T' in W. Which definition should we accept? This is unclear to me, although I think that we should say at least this: if the amendment to (D4) and (D5) just cited is to be rejected, still some method of ranking accessible worlds is called for; for sometimes those accessible worlds which lack a determinate value will surely be immaterial to certain judgments of obligation (as happens, for example, when some accessible world in which S does A at T' lacks a determinate value but also some accessible world in which S does A at T' has a determinate value and is, moreover, more valuable than any accessible world in which S does not do A at T').

If case (ii) were to arise (which might happen if the number of worlds accessible to S from W at T were infinite), then all judgments of subsidiary obligation would be effectively undermined. We could still stick with (D2) and (D3), but any attempt to ascribe a determinate level to a less-than-primary obligation would be otiose. Even if some accessible p-world in which S does A at T' is more valuable than any accessible p-world in which S does not do A at T', still, if some accessible non-p-world is even more valuable, then, in actualizing a p-world, S will have done infinite wrong. It is true that we could still talk of relative subsidiary obligation and wrongdoing,

in that we could arbitrarily assign the value-rank of 1 to some accessible non-p-world, then rank the topmost accessible p-world accordingly, and then, utilizing (D5) and (D6), obtain a relative ranking of subsidiary obligations; but just what the point of this would be, I am not sure.

Part III

It is instructive, finally, to compare (D6) with the only other attempt in the literature, of which I am aware, to account for levels of absolute obligation. This is, of course, McKinsey's attempt, an attempt which is explicitly predicated on the Simple Assumption.¹³ His account of levels of obligation is at odds with my definition (D6) both with respect to what counts as a subsidiary obligation and with respect to what does not.¹⁴

It is helpful to "chart" worlds and their value-ranks. In the case of Smith and the meetings on the first and second floors, let us put matters this way:

- 1: (W_1) A, —B, ...
- 2: (W_2) —A, B, ...

Here, there is one and only one world — namely, W_1 — which is accessible to Smith at T_1 and which has value-rank 1; in W_1 , Smith's going to the meeting on the first floor at T_2 (this is act A) does take place, but his going to the meeting on the second floor at T_2 (this is act B) does not take place. Also, there is one and only one world — namely, W_2 — which is accessible to Smith at T_1 and which has value-rank 2; here A does not take place but B does. We may also assume that there are worlds (of a lower rank) accessible to Smith at T_1 in which neither A nor B takes place (although there are of course no worlds accessible to him then in which both take place). Given this information, and given (D4) and (D5), we may say the following: Smith ought₂ at T_1 to go to the meeting on the first floor at T_2 ; and Smith ought₂ at T_1 to go to the meeting on the second floor at T_2 , if he does not go to the meeting on the first floor at T_2 . Note also that (D4) warrants our saying that Smith ought₁ at T_1 not to go to the meeting on the second floor at T_2 . But note that (D5) does not warrant our saying that Smith ought₂ at T_1 not to go to the meeting on the first floor at T_2 , if he does go to the meeting on the second floor at T_2 . (For, again, there is no world accessible to Smith at T_1 in which both A and B take place.) This would be a bizarre thing to say. And so, given (D6), we cannot say, even if Smith goes to the meeting on the second floor at T_2 (as would be the case if W_2 or some — but not just any — world of a lower rank were actual), that he ought₂ at T_1 not to go to the meeting on the first floor at T_2 . But McKinsey's account of levels of obligation sanctions our saying just this.¹⁵ Thus McKinsey's account is more liberal than mine.

His account is also more conservative. Consider this case:

- 1: (W_1) A, B, ...
- 2: (W_2) A, —B, ...
- (W_3) —A, B, ...
- 3: (W_4) —A, —B, ...

Here, W_1 is the only world of value-rank 1, W_2 and W_3 are the only worlds of value-rank 2, and W_4 is the only world of value-rank 3. Let us understand A to be the action of Smith's raising his

right hand at T_2 and B the action of his raising his left hand at T_2 . Then (D4) and (D5) warrant our saying all of the following: Smith ought₁ at T_1 to raise his right hand at T_2 ; Smith ought₁ at T_1 to raise his left hand at T_2 ; Smith ought₂ at T_1 to raise his right hand at T_2 , if he does not raise his left hand then; and Smith ought₂ at T_1 to raise his left hand at T_2 , if he does not raise his right hand then. In short, it is best for him to raise both hands, but raising just one is preferable to raising none (although which one is a matter of indifference). Then, given (D6), if Smith fails to raise his left hand at T_2 (as in W_2 or W_4), we may say that Smith ought₂ at T_1 to raise his right hand at T_2 ; and, if Smith fails to raise his right hand at T_2 (as in W_3 or W_4), we may say that Smith ought₂ at T_1 to raise his left hand at T_2 . (Thus, if W_4 is the actual world, Smith is seen, and properly so, to have done wrongs on two levels.) But McKinsey's account of levels of obligation allows us to say neither of these things.¹⁶

It is noteworthy that McKinsey seems not to be especially concerned with conditional obligation and detachment when giving his account of levels of obligation.¹⁷ Perhaps it is this lack of concern that has led him astray. At any rate, I think it quite unlikely that subsidiary obligation can be satisfactorily accounted for without tying it in explicitly with the issue of conditional obligation and detachment. And I also think it quite unlikely that the latter issue can be satisfactorily treated without explicitly raising the issue of subsidiary obligation. For the two issues are intimately related, as I have tried to show.¹⁸

NOTES

1. See [5] for an attempt at an analysis of this sort and [8] for a commentary on this attempt.
2. [6], p. 393.
3. [1], pp. 257, 264. I think (D2) has these advantages over Feldman's analysis: it does not imply that all past occurrences and all necessary truths are obligatory, and it does not require that the value at issue be intrinsic value. (On the latter point: it seems to me a purely formal point that the notion of "ought (absolutely)" involves the sort of comparison of values stipulated in (D2), but a substantive ethical issue as to just what sort of values are being so compared. Compare McKinsey's principle (R) and his commentary on it in [6], p. 385.) Whether or not Feldman's use of "accessible" matches mine, I am not sure.
4. See [7], p. 3.
5. [1], pp. 265-6; [3], p. 265.
6. See [7], pp. 8-9.
7. Of course, there are some uninteresting ones available. Here is one: if S ought at T to do A at T, on the condition that he does B at T', and if S ought at T to do B at T', then S ought at T to do A at T'.
8. [6], p. 391.
9. Given the Simple Assumption, clause (d) is strictly redundant; for every accessible world in which S does not do A at T' is, according to clause (c), less than maximally valuable. But I include clause (d) for the sake of perspicuity.
10. The formulation of this definition is due in part to a suggestion made by David Thomasson, for which I am grateful.
11. See Note 3 above.
12. Assuming that some suitable interpretation has been given to its clause (d).
13. See [6], pp. 391-2. In [3], p. 266ff., and [4], p. 81, Greenspan apparently thinks that

subsidiary obligation is merely conditional obligation. Clearly, it is my view that this is mistaken. In [2], p. 211, n. 13, Goldman mentions this issue, but she reserves judgment and provides no account of levels of obligation.

14. I refer to McKinsey's formula (L) on p. 392 of [6]. This formula reads as follows.

x ought_n at t to do A_i if and only if

(1) A_i is contained in every $\Phi_{x,t}$ of rank n ; and

(2) for every $\Phi_{x,t}$ which has a rank m higher than n (i.e., where $m < n$), there is an A_j such that $\Phi_{x,t}$ contains A_j and x will not do A_j .

Here x is an agent, t a time, and A_i and A_j are actions (or, presumably, omissions) done at times t_i and t_j , respectively; and a " $\Phi_{x,t}$ " is a "life-sequence" of actions open to x at t .

15. See the last note.

16. See Note 14 above. In each case, clause (1) of (L) is violated.

17. He does mention this issue in a footnote 10 ([6], p. 395, n. 10), but it is not a matter that occupies his attention in the rest of his paper.

18. My thanks to John Pollock for comments on an earlier version of this paper.

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